

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Robert Lee Finley,
Plaintiff,

v.

Stephanie, Well Path Medical Director, *et al.*,
Defendants.

Case No. 2:24-cv-00840-RFB-EJY

ORDER

Plaintiff, an inmate proceeding *pro se*, submitted an incomplete application to proceed *in forma pauperis* (“IFP”) together with a Civil Rights Complaint under 42 U.S.C. § 1983 on May 3, 2024. ECF Nos. 1, 1-1. Plaintiff’s IFP is incomplete because he failed to sign the Acknowledgment Declaration on page 3 of the application and failed to include his inmate trust fund account statement for the previous six-month period. ECF No. 1. Even if Plaintiff has not been at the Nevada Department of Corrections facility a full six-month period, Plaintiff must still submit a financial certificate and an inmate trust fund account statement for the dates he has been at the facility. 28 U.S.C. § 1915(a)(2); Local Rule LSR 1-2.

Accordingly, IT IS HEREBY ORDERED that Plaintiff’s application to proceed *in forma pauperis* (ECF No. 1) is DENIED without prejudice.

IT IS FURTHER ORDERED that on or before **July 24, 2024**, Plaintiff must either pay the \$405 filing fee for a civil action or file with the Court: (1) a complete **Application to Proceed in Forma Pauperis for Inmate** on the Court’s approved form; (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month period**.

IT IS FURTHER ORDERED that the Clerk of the Court will send Plaintiff the approved form application to proceed *in forma pauperis* for inmate along with the information and instructions for filing the same.

IT IS FURTHER ORDERED that failure to either pay the \$405 filing fee or file a complete application to proceed *in forma pauperis* on or before **July 24, 2024**, will result in a recommendation

1 to dismiss this action **without prejudice**. A dismissal without prejudice allows Plaintiff to file his
2 case with the Court, under a new case number, when he is able to comply with LSR 2-1 and file a
3 complete application to proceed *in forma pauperis* or pay the required filing fee.

4 IT IS FURTHER ORDERED that the Court will retain Plaintiff's Complaint (ECF No. 1-1),
5 but will not file it at this time.

6 DATED this 22nd day of May, 2024.

7 
8 ELAYNA J. YOUCHAK
9 UNITED STATES MAGISTRATE JUDGE